

1 CHARLES D. AXELROD (SBN 39507)
2 GARY E. KLAUSNER (SBN 69077)
3 H. ALEXANDER FISCH (SBN 223211)
4 MARINA FINEMAN (SBN 193065)
5 STUTMAN, TREISTER & GLATT
6 PROFESSIONAL CORPORATION
7 1901 Avenue of the Stars
8 12th Floor
9 Los Angeles, CA 90067
10 Telephone: (310) 228-5600
11 Telecopy: (310) 228-5788
12 Email: gklausner@stutman.com;
13 afisch@stutman.com

9 DANIEL K. SPRADLIN (SBN 82950)
10 M. LOIS BOBAK (SBN 127540)
11 WOODRUFF, SPRADLIN & SMART, APC
12 555 Anton Boulevard, Suite 1200
13 Costa Mesa, California 92626-7670
14 Telephone: (714) 558-7000
15 Facsimile: (714) 835-7787
16 Email: dspradlin@wss-law.com;
17 lbobak@wss-law.com

15 Attorneys for Appellee
16 Valley Health System

17 R.D. KIRWAN (SBN 46259)
18 CHAD STEGEMAN (SBN 225745)
19 DEVIN STONE (SBN 260326)
20 AKIN GUMP STRAUSS HAUER & FELD LLP
21 2029 Century Park East, Suite 2400
22 Los Angeles, California 90067
23 Telephone: (310) 229-1000
24 Facsimile: (310) 229-1001
25 Email: rkirwan@akingump.com;
26 cstegeman@akingump.com;
27 dstone@akingump.com

24 Attorneys for Appellee
25 Physicians for Healthy Hospitals, Inc.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

In re)	D.C. Case No.: 10-CV-00730-SVW
)	
)	Bankr. Case No. 6:07-bk-18293-PC
VALLEY HEALTH SYSTEM, a)	
California Local Health Care District,)	Adv. Pro. No. 6:09-ap-01708-PC
)	
)	Chapter 9
Debtor.)	

PRIME HEALTHCARE
MANAGEMENT, INC., a California
Corporation; ALBERT L. LEWIS, JR.,
a taxpayer and resident of the VHS local
health care district; JOHN LLOYD, a
taxpayer and resident of the VHS local
healthcare district; EDWARD J.
FAZEKAS, a taxpayer and resident of
the VHS local health care district,

Appellant,

v.

VALLEY HEALTH SYSTEM, a
California local healthcare district;
PHYSICIANS FOR HEALTHY
HOSPITALS, INC., a California
Corporation,

Appellees.

DECLARATION OF SERVICE OF:

**1. NOTICE OF MOTION AND APPELLEES'
JOINT MOTION TO DISMISS APPEAL AS
MOOT**

**2. DECLARATION OF WILLIAM E. THOMAS
IN SUPPORT OF APPELLEES' JOINT
MOTION TO DISMISS APPEAL AS MOOT**

**3. DECLARATION OF JOHN B. MARSHALL
IN SUPPORT OF APPELLEES' JOINT
MOTION TO DISMISS APPEAL AS MOOT**

**4. DECLARATION OF GARY E. KLAUSNER
IN SUPPORT OF APPELLEES' JOINT
MOTION TO DISMISS APPEAL AS MOOT**

**5. DECLARATION OF KEITH R. MARSHALL
IN SUPPORT OF APPELLEES' JOINT
MOTION TO DISMISS APPEAL AS MOOT**

**6. APPENDIX TO APPELLEES' JOINT
MOTION TO DISMISS**

**7. [PROPOSED] ORDER GRANTING
APPELLEES' JOINT MOTION TO DISMISS
APPEAL AS MOOT**

Hearing

Date: November 22, 2010
Time: 1:30 p.m.
Judge: Hon. Stephen V. Wilson
Place: Courtroom 6
312 N. Spring Street
Los Angeles, CA 90012

DECLARATION OF SERVICE

I am over the age of 18 years and not a party to the within action. I am employed in an office that employs a member of the bar of this court, at whose direction the within service was made. My business address is Stutman, Treister, & Glatt Professional Corporation, 1901 Avenue of the Stars, 12th Floor, Los Angeles, CA 90067.

On October 22, 2010, I served the following pleadings:

1. NOTICE OF MOTION AND APPELLEES' JOINT MOTION TO DISMISS APPEAL AS MOOT;
2. DECLARATION OF WILLIAM E. THOMAS IN SUPPORT OF APPELLEES' JOINT MOTION TO DISMISS APPEAL AS MOOT;
3. DECLARATION OF JOHN B. MARSHALL IN SUPPORT OF APPELLEES' JOINT MOTION TO DISMISS APPEAL AS MOOT;
4. DECLARATION OF GARY E. KLAUSNER IN SUPPORT OF APPELLEES' JOINT MOTION TO DISMISS APPEAL AS MOOT;
5. DECLARATION OF KEITH R. MARSHALL IN SUPPORT OF APPELLEES' JOINT MOTION TO DISMISS APPEAL AS MOOT;
6. APPENDIX TO APPELLEES' JOINT MOTION TO DISMISS; AND
7. [PROPOSED] ORDER GRANTING APPELLEES' JOINT MOTION TO DISMISS APPEAL AS MOOT

on the interested parties in this action by placing true copies thereof, enclosed in sealed envelopes, with first class postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as follows:

Please see attached service list.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 22, 2010, at Los Angeles, California.

/s/ Kendra A. Johnson
Kendra A. Johnson, Declarant

VALLEY HEALTH SYSTEM

Doc. No. 545012V1

10/22/2010

**By Federal Express/Overnight
Delivery**

The Honorable Stephen V. Wilson
USDC - Western District of
California
312 N. Spring Street, Courtroom 6
Los Angeles, CA 90012

Valley Health System
1117 East Devonshire Avenue
Hemet, CA 92543

Sam Maizel, Esq.
Jeff Kandel, Esq.
Pachulski, Stang Ziel &
Jones LLP
10100 Santa Monica Blvd.,
Suite 100
Los Angeles, CA 90067

United States Trustee
Office of the U.S. Trustee
3685 Main Street, Suite 300
Riverside, CA 92501

William P. Smith, Nathan F. Coco, Miles
W. Hughes, & Jason J. DeJonker
McDermott, Will Emery
227 West Monroe St., Ste. 5400
Chicago, IL 60606

U.S. Bank National
Association Corporate Trust
Services
Attn: Keith Marshall
633 West Fifth St., 24th Fl
Los Angeles, CA 90071

Michael J. Sarrao
3300 Guasti Road, Ste 300
Ontario, CA 91761

Frandzel Robins Bloom & Csato, LLC
Attn: Andrew K. Alper
6500 Wilshire Blvd., 7th Floor
Los Angeles, CA 90048